

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

Sheila Coniff, Greg Wilcox, John Reese Jr.,)
Evanthia Hill, Susan Ransom-Kelley, and)
Dominic Damato, *individually and on behalf of*)
all others similarly situated; Christopher)
Achilles, Karen Ackermann, Neil W. Aguiar,)
Susan M. Aikman, John J. Akielaszek, Sandra E.)
Albright, Chad A. Allen, Eugene R. Allen,)
Tawny Allen, Kiersten J. Andersen, Janis L.)
Appel, Erica Aubut, Deborah A. Austin, John)
Austin, Kate Barany, Richard A. Barany, Tanya)
Barber, Steven Barden, Russell R. Barrett, Denis)
R. Barton, June E. Bascom, Coleen Bean,)
Kimberly S. Bean, Elizabeth Beaulieu, Marlys M.)
Beck, Stephanie A. Beck, James C. Bellino,)
Melissa Belrose-West, Elliott M. Benay, Tamsen)
M. Benjamin, Thomas A. Benoit, Sr., Craig A.)
Benson, Joseph H. Berchick, Roger Bergeron,)
Jane M. Berry, Suzanne Berry, Teri L. Berube,)
Paul Beyor, John Andrew Bibens, Paul J. Bicica,)
Eugene J. Bifano, Jacqueline Bilodeau, Ellen T.)
Bissonnette, Mark A. Bissonnette, Donna L.)
Bister, Robert Blair, Carol E. Blake, Wendy)
Blake, Kathy M. Blanchard, Judith Blank, John)
R. Bliss, Sara Jean Boardman, Teresa R.)
Bogaczyk, Diane L. Bogdan, Richard E. Boltax,)
Mary P. Bolton, Arthur J. Bombardier, Anne)
Bordonaro, Mark Bosma, Patricia L. Bostock,)
Enita M. Boudreau, Lara Boutaugh-Commos,)
Joan C. Bowker, Daniel K. Boyce, Jason G.)
Boyd, John Brabant, Nancy L. Bradshaw, Trini L.)
Brassard, Patricia Brett, Ean Briere, Jeff M.)
Briggs, Stephanie Briggs, Randall Bronson,)
Jessie F. Brosseau, Belinda Brown, Karen L.)
Brown, Mary K. Brown, Paula R. Brown,)
Thomas M. Brown, Lisa Bruce, Matthew D.)
Bruhns, Daniel O. Bruyette, Noel C. Bryant,)
Debra Budreau, Linda M. Bunker, Kevin F.)

Case No. 2:10-cv-32

Burke, Thomas R. Burke, Jennifer M. Busconi,)
 Steven M. Bushey, Sylvia Buzzell, Richard J.)
 Byrne, Marie L. Caduto, Deborah A. Caldbeck,)
 James P. Cameron, Breck P. Campbell, Karen S.)
 Canas, James P. Candon, II, Michael D. Carey,)
 Sally A. Carpenter, Russell L. Carrier, Jr.,)
 William R. Carrigan, Philip L. Carter, Deborah)
 A. Caruso, Mary A. Cassani, Sherry M. Cassano,)
 Paula Catherine, Leonard Cave, Sharon L. Cave,)
 William L. Center, Rebecca J. Chalmers, Daniel)
 W. Champney, Leonard J. Champy, Thomas E.)
 Chase, Brian D. Chipman, Dawn F. Chittenden,)
 Judith A. Christensen, Jan W. Ciemiecki, Kevin)
 S. Clairmont, David B. Clark, Connie Clay-)
 Bickel, Shauna P. Clifford, Aime E. Cloutier,)
 Susan Coburn, Brigitte Codling, Howard N.)
 Cohen, Ronnie B. Cohen, Diane E. Colgan,)
 Laurie M. Colgan, Peter Comart, Kelly G.)
 Connelley, Ryan S. Connolly, Victoria Conti,)
 Jacqueline Corbally, Laura L. Cornell, Wanda)
 Cosman, Barbara Cote, Karen A. Crampton,)
 Brenda Dawson Crocket, James R. Cronan,)
 Beverly A. Croteau, Sharon Crout, Jeffrey R.)
 Cueto, Thomas Cummings, Catherine)
 Cunningham, Valerie D. Cyr, Carol L. Czina,)
 Melanie L. D'Amico, Roger Daigle, Christine I.)
 Dalley, Walter J. Daly, Diane Danforth, Richard)
 A. Daniell, Michael H. Daniels, Arthur E.)
 Danyow, III, Amy B. Darley, Melvin Darling, Jr.,)
 Daniel W. Davies, Jonathan P. Day, Lisa)
 DeBlois, Edwin M. DeMott, III, Aula E. DeWitt,)
 George R. Decell, Bennet J. Deliduka, Elizabeth)
 R. Demers, John J. Demeter, Kate M. Dempsey,)
 Hilary J. Denton, Kenneth Denton , Travis M.)
 Denton, Katie A. Derosier, David DiDomenico,)
 Craig R. DiGiammarino, Patrick L. Donovan, J.)
 Douglas Dows, Ruthellen Doyon, Robert J.)
 Drawbaugh, Peter Drescher, Leslie A. Drown, Al)
 Dubuque, Patricia H. Duda, Carol L. Duley, John)
 P. Dumville, John Frederick Dunham, Jr.,)

Margaret Dunham, Janet K. Dunigan, Dolores M.)
 Eckert, Adele Edelman, Jennifer B. Egelhof,)
 Susan L. Eldridge, William J. Elovirta, Brad R.)
 Epstein, Bruce B. Epstein, Frederick A. Erskine)
 Jr., Martha J. Evans-Mongeon, Tamara Evanson,)
 Laura E. Ewell, Philip M. Fagan, William Farley,)
 James A. Farrell, Deborah W. Ferrell, Michael)
 Feulner, Nathan Fice, Carl H. Fielder, Jeanette M.)
 Fisher, David Fitts, Brian T. Fitzgerald, Terry L.)
 Fitzgerald, Timothy B. Fleming, Danny A. Flood,)
 Janette L. Floyd, Norman Mark Floyd, Karen M.)
 Flynn, Michael F. Foisy, Julie Foley, Sean A.)
 Foley, Karen H. Forbes, Jerry Forkin, Michael J.)
 Fowler, Kathleen A. Francis, Michael Steven)
 Frank, Diana L. Frederick, Paul E. Frederick,)
 Eunice H. Froeliger, Brian Frost, Stephanie)
 Fuller, Kathryn Gehr, Christine Geiler, Joseph P.)
 Geoffroy, Heather A. Gibbs, Roger L. Gillim,)
 Judy D. Gilmore, Robert J. Gioria, Ghislaine M.)
 Girouard, Carl W. Gleason, Jonathan Goddard,)
 Steven R. Godin, Maria Godleski, Jeremy M.)
 Goetz, Donald L. Grabowski, Elysian Graham,)
 Karen Graham, Jack Green, Bradley T.)
 Greenough, Laurie E. Greenwood, Richard P.)
 Greenwood, Terrance P. Greenwood, Roland)
 Grenier Jr., Jonathan F. Grzych, William C.)
 Guenther, Marcia A. Guyette, Caroline M. Haag-)
 Marsh, Julie Hackbarth, Don C. Haddox, David)
 F. Hale, Arthur Hamlin, Steven W. Hanna, Alicia)
 M. Hanrahan, Elizabeth Hansen, Bryan M.)
 Harrington, Jennifer A. Harrington, Ivy Harris,)
 James W. Harris, Joseph M. Harris, Constance R.)
 Harrison, Patricia C. Hartman, Joan Haslett, Ann)
 F. Hastings, Andrea Hatch, Kara Haynes, Peggy)
 S. Heath, Beverly Heise, Kathy Hemenway,)
 Elizabeth A. Henderson, Carey Hengstenberg,)
 Joanne A. Herring, Christine Marie Hetzel,)
 Gunther Hetzel, Kristina M. Hetzel, Daniel A.)
 Heyde, Gena M. Hicks, Todd E. Hill, Rae Hirst,)
 Margaret Hodder, Peter Hodgson, Melissa F.)

Hoellerich, Sandra L. Hoffman, Stephen E. Hoke,)
 Mary Lou Hood, Robert Hooper, Richmond B.)
 Hopkins Jr., Suzanne Hopkins, Ken Horseman,)
 Ann P. Horsman, David A. Hosking, Donna)
 Hosking, Richard Hosking, Lawrence D.)
 Houston, Patricia M. Houston, Jeffrey K.)
 Howard, Briana Howe, Carmen Howe, John L.)
 Hoy, Sandra E. Hunt, Sharon Hurlburt, Aaron M.)
 Hurst, Marjorie B. Huston, Kay D. Ingraham,)
 Gerald P. Irvine, II, Donald Isabelle, Craig A.)
 Iverson, Dianne E. Jabar, Edward A. Jackson,)
 Brad C. James,)
 Molly E. Jarvis, John Jaworski, Ian Jenike,)
 Melissa Jenkins, Thomas M. Jenny, Charles E.)
 Jerd, William A. Jewell, Alan B. Johnson, Curtis)
 B. Johnson, Lisa J. Johnson, Malinda Johnson,)
 Patricia K. Johnson, Sarah Johnson, Barbara L.)
 Johnston, John M. Johnston, Robert B. Johnston,)
 Mark H. Jones, Philip L. Jones, Sarah Helen)
 Jordan, Thomas Joslin, Marie-Michele Joyal,)
 Jules Junker, Paul T. Kane, Jon J. Kart, Mark W.)
 Kavanagh, Allison R. Keelty, Helen Keith,)
 Raymond C. Kellett, Ernest F. Kelley, Deborah J.)
 Kellogg, Gregory D. Kelly, June F. Kelly, Serena)
 R. Kemp, Patricia S. Kennelly, Jon J. Kilian,)
 Robert C. King, Rita C. Knapp, Mary E. Koen,)
 Leah I. Korce, Julie A. Kozlowski, David)
 Kreindler, Carolyn M. Krug, Thomas A. Krug,)
 Christine E. LaBarre, Patricia M. LaBelle, Lynn)
 LaBonte, Michael R. LaClair, Michael LaCroix,)
 Kimberly A. LaFrance, Tracy LaFrance, Kelly H.)
 LaMonda, Michael LaPera, Michelle L. LaPerle,)
 Yvonne Labare, Thomas H. Lackey, Ronald R.)
 LaFond, Jr., Ernest A. Laird, Sandra W. Lambert,)
 Elaine Lamell, Teresa A. Lamos, Albert L.)
 Lamson, James Lowell Landis, Danny R. Landry,)
 Kathy Lantagne, Cindy A. Laraway, Kate Larose,)
 Rhonda J. Larrabee, Meredith A. Larson, James J.)
 Laskarzewski, Roger Lathrop, Carol M. Lavery,)
 Erin L. Lawrence, Karen Lawsing, Chris Lazar,)

Kenneth P. Leach, Joseph C. Leclair, Susan O.)
 Leclair, Gayle C. Lee, Ronald Lemaire, Patricia)
 Leno, Janice G. Leonard, Aaron Lewis, R. Allyn)
 Lewis, Jennifer May Lilley, Carol L. Lipani,)
 Joseph J. Liscinsky, Walter Steven Litkovitz,)
 Celina K. Little, Rachael B. Lizotte, Nancy B.)
 Lord, Michael J. Lori, Rob Lowe, Steven K.)
 Lowe, Tammie Lowell, Leonard N. Lussier,)
 Robert Lutz, Jr., Jennifer Lyford, Sheri Lynn,)
 Rhonda Mabey, Carol MacDougall, Marie L.)
 Maclay, Allison A. Magliola, Gregory M.)
 Maguire, James P. Mall, Frank J. Malnati, Jr.,)
 Thomas O. Mancini, Elizabeth M. Manfredi, John)
 Mangione, Nancy Marinelli, Bruce A. Martell,)
 David W. Martinson, Gholam-Ray Marzbani,)
 Glenn E. Massey, Andrew A. Masson Jr.,)
 Douglas E. Matten, Leah M. Matteson, Ruth T.)
 Matthews, Ann V. Mattice, Elizabeth Maurer,)
 Lisa A. Mazzitelli, Debbie K. McAdoo, Donna)
 McAllister, Marybeth McCaffrey, Kevin R.)
 McClure, Karen B. McEwing, Thomas)
 McFarland, Carol A. McGranaghan, Mari)
 McIntosh, Robert W. McIntyre, Steven)
 McLaughlin, Alexis M. McLean, Gregory G.)
 McLelland, Lawrence O. McLiverty, Jeremy M.)
 McMullen, Katherine M. McNamara, Kenneth)
 W. McNamara, Robert McNeil, Cara L.)
 McSherry, Connie L. McKeighan, Erin M.)
 McSweeney, Scott M. Melen, Bruce A. Melvin,)
 Jane E. Menard, Stewart D. Menard, Linda A.)
 Merchant, Matt Messier, Michael Metz, Charles)
 Miller, Gregory L. Miller, Janet Louise Miller,)
 Michael J. Miller, Nancy J. Miller, William G.)
 Mills, Judy A. Mirro, George S. Mitchell,)
 Michael M. Mitchell, Richard H. Moffi, Megan J.)
 Moir, Neil W. Monteith, Maureen H.)
 Montgomery, Matthew Moran, Anthony E.)
 Morgan, Susan Morrison, And L. Morse, Stanley)
 Morse, Shannon Morton, Timothy Morton,)
 Katrina Mouquin, Francis J. Mullins, III, Sarah)

Nash, Jeanne M. Neal, Dennis J. Nealon, Thomas)
 M. Nelson, Douglas W. Newton, Dale Norton,)
 Gerold Noyes, Ebony V. Nyoni (Kirkland), Janet)
 M. O'Bryan, Paul J. O'Kane, Michael J. O'Shana,)
 David P. O'Vitt, Kevin W. Oddy, Christopher W.)
 Olson, John Olson, Peter M. Oparowski, Michael)
 L. Orticari, David Paganelli, Kara Pallman, Allen)
 C. Palmer, Brian J. Pardy, Stephen G. Parise,)
 Janine Parker, Ellen E. Parr Doering, Jonathan Z.)
 Parsons, Ernest Patnoe, David Patterson, Alan R.)
 Patunoff, Alydia G. Payette, Kim A. Pearsons,)
 Kevin A. Pecor, Giovanna Peebles, Karla D.)
 Perkins, Frank J. Perricone, Siobhan Perricone,)
 Michael W. Perry, Stephen C. Peterson, Douglas)
 E. Petterson, Mary Lyn Pfister, Rebecca Roy)
 Phelps, Wilhelmina L. Picard, Jason Pinard,)
 Rodney I. Pingree, Susan L. Pinto, William J.)
 Ploof, Katherine J. Plummer, Timothy Pockette,)
 Sonja L. Pomainville, Anne M. Porter, Peter M.)
 Potanas, Douglas A. Powell, Martha Price,)
 Kimberly J. Prior, Ellen Pulsifer, Luke B. Purvis,)
 Randy J. Quenneville, John Quinn, III, Lisa L.)
 Racine, Ginger Radke,)
 Bille J. Raymond, Elise Raymond, Timothy R.)
 Raymond, Stephen J. Reckers, Cheryl Reed,)
 Emily Reed, Larry E. Reed, Marlene B. Restino,)
 Kim K. Revoir, Valerie Reynolds-Petitt, Marilyn)
 R. Richards, Amy Richardson, Joseph L.)
 Richardson, Leif L. Richardson, Cheryl A.)
 Ridley-Roy, Kathleen S. Rifenburg, Lisa Rivers,)
 Trilene M. Roach, Brian C. Roberts, Dennis)
 Roberts Jr., Kenneth A. Robie, Donald Robisky,)
 George Robson, Dwight Robtoy, Suzannah J.)
 Roche, Dale Rock, Clarissa A. Romano, Margo)
 Rome, Carol R. Rose, Larry Rosenberger Jr.,)
 Judy P. Rosenstreich, Elizabeth L. Ross-Mobbs,)
 Thomas H. Rotella, Amy Roth, James Rouleau,)
 Jacqueline Rousseau, Gaston F. Roy, James J.)
 Ryan, Shabnam Sadr, Natalie Santamore, Kelly)
 S. Sargent, Timothy F. Schmalz, Julia H.)

Schmitz, Sam Schneski, Lynda C. Schoenbeck,)
 Josh L. Schultz, William Schwartz, Bryan)
 Scrubb, Christopher Seguin, Amy Shaefer, Scott)
 D. Shafer, Laureen M. Shannon, Lori L. Shatney,)
 Loren T. Shaw, Jamie A. Sheltra, Christine Anne)
 Shepard, Stephen C. Sherrill, Lynne A. Silloway,)
 Alvin A. Simard,)
 Lindsay Simpson, Curtis P. Smiley, Evan T.)
 Smith, Mark W. Smith, Michael B. Smith,)
 Richard Smith, Steven P. Smith, Monique)
 Sordiff, Janice R. Sotirakis, William J. Soule,)
 Rebecca V. Spaulding, Kelley Spear, Christine A.)
 St. John, Kevin J Stapleton, Leslie Stapleton,)
 Rebekah M. Stephens, Scott A. Stewart, Jessica)
 Stolz, Patricia C. Strader, Paul O. Stratton, III,)
 Robert Suckert, Edmond E. Swanberg, Vicki B.)
 Swenor, Ethan Swift, Sarah Systo, Tracey)
 Tapley, Sally Tappan, Charles C. Tatro, Shelly)
 A.C. Thayer, Andre V. Thibault, Edward)
 Thomas, Randy J. Thomas, Anita Thomason,)
 Brian E. Thompson, Daniel A. Thompson, Terri)
 L. Tibbetts, Megan Tierney-Ward, Alyssa Todd,)
 Glen M. Torres, Daniel Towle, Laura J. Treichler,)
 Roger A. Tremblay Jr., David M. Trombley,)
 Nancy A Trombley, Julie A. Trottier, Bennett S.)
 Truman, Julie L. Tucker, Jon P. Turmel, Kenneth)
 Upmal, Thomas E. Urell, Thomas J. Vasta, Susan)
 Viens, Jeanette J. VonFeldt, George W. Voss, Ed)
 Wageman, Laura J. Wallelt, Rosemary C. Walsh,)
 Nicholas Wark, Delvin C. Warner, Mary Joanne)
 Watson, Nancy P. Webster, Bryan E. Wemple,)
 Roderick S. Wentworth, Scott Wheatley, Karen)
 K. Whitcomb, Dennis J. Whitehill, Joseph H.)
 Whittemore, Janet Wiatrowski, David L. Wilcox,)
 Leslie Wilcox, James Wild, Angela T. Wilder,)
 Christina Wilder, Les Wilder, Michael Wilder,)
 Duncan C. Wilkie, Kevin F. Willey, Karen L.)
 Williams, Susan M. Williams, Cathy S. Wilson,)
 Margaret E. Wilson, Susan G. Winston, Elizabeth)
 P. Winterbauer, Paul Winters, Christy E. Witters,)

Kim A. Wittorff, Michael J. Wood,)
Stephen K. Woodward, Eileen R. Worcester,)
Vaughn D. Works, Richard C. Wormwood,)
Andrea Wright, Jessanne Wyman, Michael W.
Young, William E. Zabiloski, Raymond S.
Zelesky, and Valerie C. Zotti,

Plaintiffs,

v.

State of Vermont, State of Vermont Agency
of Administration, and Jeb Spaulding, in his
official capacity,

Defendants.

NOTICE OF APPEAL

Notice is hereby given that all plaintiffs in the above-named case, captioned in the district court as *Sheila Coniff, et al. v. State of Vermont, et al.*, Case No. 2:10-cv-32, which is a collective action under section 16(b) of the Fair Labor Standards Act, appeal to the United States Court of Appeals for the Second Circuit from the Opinion and Order (Document No. 139) filed in the district court on September 30, 2013, and from the Judgment (Document No. 140) entered on September 30, 2013.

Dated at Burlington, Vermont this 29th day of October, 2013.

BERGERON PARADIS & FITZPATRICK, LLP
Attorneys for Plaintiffs

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CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of October, I electronically filed a Notice of Appeal with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to Jonathan Rose, Esq. and Steven Collier, Esq.

Dated at Burlington, Vermont this 29th day of October, 2013.

BERGERON PARADIS & FITZPATRICK, LLP
Attorneys for Plaintiffs

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